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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/587,148

04/09/2007

Satu Hagfors

128818

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EXAMINER

MOMPER, ANNA M

ART UNIT

PAPER NUMBER

3657

NOTIFICATION DATE

DELIVERY MODE

10/22/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

OfficeAction25944@oliff.com
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Office Action Summary	Application No. 10/587,148	Applicant(s) HAGFORS ET AL.	
	Examiner ANNA MOMPER	Art Unit 3657	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 May 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-2, 5-11 is/are allowed.
- 6) ☒ Claim(s) 4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/26/2010 has been entered.

Response to Amendment

2. Amendment to the claims received 5/26/2010 has been entered. Claims 1 and 4 have been amended. Claim 3 has been canceled.

Response to Arguments

3. Applicant's arguments, see pg. 5, filed 5/26/2010, with respect to Ishino and the filing of the certified copy of the foreign priority of the instant application have been fully considered and are persuasive. The certified copy of the foreign priority has been entered and the foreign priority has been perfected. Therefore, the rejections relying on Ishino et al. (US 7,185,757) have been withdrawn.

4. Applicant's arguments filed 5/26/2010 have been fully considered but they are not persuasive. Applicant argues that Steiner does not discuss the density or flexibility of the yarns and does not suggest modifying the flexibility of the reinforcement yarns or having two yarn layers with different flexibilities to improve performance. The examiner disagrees. While Steiner may not specifically identify the different layers as being more

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or less flexible than the other, Steiner specifically discloses adjusting the distance between parallel cords resulting in a denser structure of layer. One of ordinary skill would understand that all things the same except the disclosed adjustment of distance between cords, that including more cords in the same space by moving them closer together would result in a stiffer, less flexible layer. For this reason the examiner maintains that the combination of references discloses the invention as claimed.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claim 4 is rejected under 35 U.S.C. 102(e) as being anticipated by Inoue et al. (US 6,284,102 B1) in view of Steiner et al. (US 6,908,532 B2).

As per claim 1, Inoue et al. discloses a press belt (1) made from an elastomer material (Col. 5, Ln. 3-8) and forming a closed loop (Col. 4, Ln. 66-67) in a longitudinal direction (MD), a transverse direction (CMD) being perpendicular to the longitudinal direction, the belt having an inner surface (surface of layer 2) and an outer surface (surface of layer 4) and three layers of reinforcement yarns (5, 6, 7) arranged inside the elastomer material (Fig. 2a, Fig. 2b, Fig. 3),

an innermost yarn layer (5) closest to the inner surface extending in the longitudinal direction (MD, Fig. 1) and having adjacent reinforcement yarns (5) spaced in the transverse direction (CMD Fig. 1), and

a middle yarn layer (6) extending in the transverse direction (CMD) and having adjacent reinforcement yarns spaced in the longitudinal direction (MD, Fig. 1), and

an outermost yarn layer (7) closest to the outer surface of the press belt extending in the longitudinal direction (MD, Fig. 1) and adjacent reinforcement yarns spaced in the transverse direction (CMD, Fig. 1), which absorb energy and are restored from deformation with delay in connection with deformation (the reinforcement layers will absorb energy and will restore from deformation with some delay due to friction between layers of the belt)

Inoue et al. fails to explicitly disclose the material and/or structure of the reinforcement yarns of the innermost yarn layer are more flexible than the reinforcement yarns of the outermost yarn layer.

Steiner et al. discloses a press belt wherein two layers of reinforcement cords (14, 16) are disposed perpendicular to each other, and wherein a first layer comprises a plurality of cords (14) disposed parallel to each other at a first distance (a1) and wherein a second layer comprises a plurality of cords (16) disposed parallel to each other at a second distance (a2) and wherein the second distance (a2) is less than the first distance (a1) resulting in the first layer of cords (14) being less dense than the second layer of cords (16) and thus a more flexible layer of cords (14) when the two layers of cords (14 and 16) are made of the same material.

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the belt of Inoue et al. to include the innermost yarn layer being less dense and more flexible than the outermost yarn layer, as taught by Steiner et al. for the purpose of improving belt life (Col. 2, Ln. 1-3).

Allowable Subject Matter

7. Claims 1-2, 5-11 are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANNA MOMPER whose telephone number is (571)270-5788. The examiner can normally be reached on M-F 6:00-3:30 (First Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Siconolfi can be reached on (571) 272-7124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Supervisory Patent Examiner, Art
Unit 3657